

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PUBLIC SERVICES – Panchayat Raj and Rural Development Department – Sri V. Kailashnath, SE, PR, Kakinada, East Godavari District – Departmental proceedings under Rule 20 of Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules 1991 on the allegations of irregularities in the execution of the work "Construction of R/f Bulleddupalem to Garagalampalem in KM 0/0 to 3/800 sanctioned under NABARD under RIDF-XIII" in East Godavari District – Article of charges – Communicated – Orders – Issued.

PANCHAYAT RAJ AND RURAL DEVELOPMENT (Vig.II) DEPARTMENT

G.O.Rt.No. 1007

DATED:22.06.2013.

Read the following:

1. From the GA (V&E) Dept., Vigilance Report No.107
(954/V&E/E2/2009-2), dt.17.12.2012
2. From the ENC,PR, Hyd., Lr.No.Vig.II(2)/3159/2013, dt.10.04.2013.

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ORDER:

It is proposed to hold an enquiry against Sri V. Kailashnath, Superintending Engineer, Panchayat Raj, Kakinada, East Godavari District in accordance with the procedure laid down in Rule 20 of the A.P. Civil Services (CC& A) Rules 1991.

2. The substance of the imputations of misconduct or mis-behaviour in respect of which the enquiry is proposed to be held is set out in the enclosed statement of articles of charges (Annexure-I). A list of documents by which and a list of witnesses by whom, the articles of charge are proposed to be sustained are also enclosed (Annexure-II & III).

3. Sri V. Kailashnath, SE, PR, Kakinada, East Godavari District is directed to submit a written statement of his defence before the disciplinary authority within Ten (10) days of the receipt of this Order.

4. Sri V. Kailashnath, Superinending Enineer, PR, Kakinada, East Godavari District is informed that an enquiry will be held only in respect of those article of charges as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri V. Kailashnath, SE, PR, Kakinada, East Godavari District is further informed that if he does not submit his written statement of defence on or before the time specified in para-3 above, further action will be processed based on the material available.

6. Attention of Sri V. Kailashnath, SE, PR, Kakinada, East Godavari District is invited to Rule 24 of the Andhra Pradesh Civil Service (Conduct) Rules, 1964 under which no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings, it will be presumed that he is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule. 24 of the Andhra Pradesh Civil Service (Conduct) Rules, 1964.

P.T.O.

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7. The receipt of G.O. shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

V. NAGI REDDY
PRINCIPAL SECRETARY TO GOVERNMENT (PR)

To

- 1) Sri V. Kailashnath, SE, PR, Kakinada, East Godavari District through Engineer-in-Chief, Panchayat Raj, Hyderabad.(We)
- 2) The Engineer-in-Chief, Panchayat Raj, Hyderabad (with a request to serve and return the acknowledged copy and W.S.D).

Copy to:

- 3) The General Administration (V&E) Department.(w.r.to VR. No. 107(954/V&E/E2/09-2, dated 17-12-12)
- 4) The Secretary to Vigilance Commissioner, A.P. Vigilance Commission, Hyderabad.
- 5) SF/SC

// FORWARDED BY ORDER//

SECTION OFFICER

ANNEXURE - I
Statement showing the Article of Charges against
Sri V.Kailashnath, Superintending Engineer, PR, Kakinada, EG Dist.

CHARGE:

That Sri V.Kailashnath, Superintending Engineer, PR, Kakinada, EG Dist has misused his official position for his personal gain and committed allegations of irregularities in the execution of the work "Construction of R/f Bulleddupalem to Garagalampalem in KM 0/0 to 3/800 sanctioned under NABARD under RIDF-XIII" as he has recommending closure of work without proper enquiry resulting non execution of balance work as on 16-06-2010 resulting loss to the Govt., in contravening the APCS (conduct)Rules, 1964.

BASIS:

The V&E has inspected the work "Construction of R/f Bulleddupalem to Garagalampalem in KM 0/0 to 3/800 sanctioned under NABARD under RIDF-XIII" on 16-06-2010 and communicated Report No.107(954/V&E/E2/09-2), dt:17-12-12 and observed the following:

The work "Construction of R/f Bulleddupalem to Garagalampalem in KM 0/0 to 3/800 sanctioned under NABARD under RIDF-XIII" was administratively sanctioned vide G.O.Rt.No.309, PR & RD (Progs.II) Dept., dt:27-02-2008 for Rs.210.00 Lakhs. The same was technically sanctioned vide TSR No.NIL/08-09, dt:20-04-08 for Rs.167.00 Lakhs by the Chief Engineer, PR, NABARD based on 2007-08 SSR. The work was entrusted to M/s P.Narasimha Rao & Company vide Agreement No.51/2008-09, dt:09-07-2008 @ 7.29% less than the estimated rates and Agreement Value is Rs.1,31,36,647/- and agreement period is one (1) year.

The V&E has inspected the work and made the following findings:

- shortage in thickness of WBM Grade-II in KM.3 and Grade-III in KM.2 was observed and an amount of Rs.49,058/- is proposed as recovery towards deficiency in thickness
- Oversize Metal in WBM Grade-II & III layers observed in KM.2 and an amount of Rs.3,867/- is proposed as recovery.
- Bitumen samples extracted from the OGPC+ SC layer in KM.3 revealed shortage of BT content and amount of Rs.12,936/- is proposed as recovery.
- The Contractor has executed the road work only and stopped further execution of balance CC items of works in July,2009. (i.e Retaining Wall far a length of 190.50mts. & Construction of causeway).
- The Contractor has represented to the SE, PR, Kakinada in August,2010, but actual date of completion is 08-07-09, and expressed his inability to complete the balance work due to Naxal problem & delay in finalization of designs for the proposed cause way by the Department. The concerned Asst. Engineer/Dy. Executive Engineer/ Executive Engineer and the Superintending Engineer are endorsed the Contractor's representation for closure of work and the same was forwarded to the Chief Engineer without conducting enquiry, which is violation of rules.
- As on May 2012, neither design of causeway is finalised nor the balance retaining wall executed and there is a serious lapse on the part of Engineering Officials, as they failed to finalize the design & drawings for the proposed causeway even after lapse of two years.

- The contracting agency has executed entire length of road and part of retaining wall without any difficulties and not interested to execute the remaining CC works and the field officers colluded with the contractor and benefited him in recommending for closure of contract and the agreement is neither closed nor terminated.

Thus, Sri V.Kailasanath, Superintending Engineer, PR, Kakinada has failed to discharge his legitimate duties properly and colluded with the contractor and benefited him in recommending for closure of contract without completion of sanctioned CC Items of work and the agreement is neither closed nor terminated and thus his action is in violation of APCS Rules.

Hence, the Charge.

V. NAGI REDDY
PRINCIPAL SECRETARY TO GOVERNMENT (PR)

SECTION OFFICER

ANNEXURE II

List of documents for which the articles of charges are proposed to be sustained

Vig & Enforcement Note No.107(954/V&E/E2/09-2), dt:17-12-2012.

V. NAGI REDDY
PRINCIPAL SECRETARY TO GOVERNMENT (PR)

SECTION OFFICER

ANNEXURE III

List of witnesses by whom the articles of charges are proposed to be sustained.

NIL

V. NAGI REDDY
PRINCIPAL SECRETARY TO GOVERNMENT (PR)

SECTION OFFICER